

OMKARA ASSETS RECONSTRUCTION PRIVATE LIMITED

Regd. Office: 9, M.P. Nagar, 1st Street, Kongu Nagar Extn, Tirupur – 641607. Ph No. 04212221144

Corporate Office: C/515, Kanakia Zillion, Junction of LBS Road and CST Road BKC Annexe, Near Equinox, Kurla (West), Mumbai – 400070. Tel.: 022-26544000



[Appendix - IV-A]

[See proviso to rule 8 (1),8(6) and 6 (2)]

PUBLIC NOTICE FOR POSSESSION AND E-AUCTION FOR SALE OF MOVABLE & IMMOVABLE PROPERTY

DATE OF E-AUCTION: December 05, 2022

Possession and E-Auction Sale Notice for Sale of Movable & Immovable Assets under the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 read with provision to Rule 8(1), Rule 8 (6) and 6 (2) of the Security Interest (Enforcement) Rules, 2002.

The Omkara Assets Reconstruction Pvt Ltd. (OARPL) is a Company incorporated under the provisions of the Companies Act, 1956, and duly registered with Reserve Bank of India (RBI) as an Asset Reconstruction Company under Section 3 of the Securitisation And Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (54 of 2002) ("The SARFAESI Act, 2002"); having CIN No U67100TZ2014PTC020363 and its registered office at 9, M.P Nagar, 1st Street, Kongu Nagar Extn, Tirupur – 641607 and Corporate office at C/515, Kanakia Zillion, Junction of LBS Road and CST Road BKC Annexe Near Equinox, Kurla (West), Mumbai – 400070, acting in its capacity as trustee of Omkara PS-26/2021-22 Trust. It has acquired all rights, titles & interest of the entire outstanding of Borrower(s)/Co-borrower(s)/ Mortgagor(s) along with the underlying securities from Poonawalla Housing Finance Ltd., (PHFL) (formerly known as Magma Housing Finance Ltd.) under section 5 of Securitisation and Reconstruction of Financial Asset and Enforcement of Security Interest Act, 2002 vide Assignment Agreement dated 30-09-2021.

And whereas, Authorised Officer of Magma Housing Finance Ltd. now (PHFL), under the Securitisation and Reconstruction of Financial Asset and Enforcement of Security Interest Act, 2002 and in exercise of powers conferred under section 13(12) read with rule 9 of the Security Interest (Enforcement) Rules, 2002 issued demand notice dated 23.06.2021 calling upon the below mentioned Borrower(s)/Co- Borrower(s) to repay the amount mentioned below plus accrued interest/unrealized interest thereon, at the contractual rate(s) together with incidental expenses, costs, charges, etc. till the date of payment within 60 days from the date of the notice.

The Borrower & Co-borrower having failed to repay the amount as per notice dated 23.06.2021 under section 13(2) SARFAESI Act and Pursuant to the said assignment of debt OARPL has stepped into the shoes of PHFL and has become entitled to recover entire outstanding dues and enforce the security. The Authorized Officer of Omkara Assets Reconstruction Private Limited, duly appointed under sub section (12) of section 13 of the SARFAESI ACT 2002, as per the order dated 11-09-2022 issued by additional Dist. Magistrate, Indore, has taken Physical Possession of the property as described herein below in exercise of powers conferred upon him under sub-section (4) of Section 13 of the Act, read with rule 8 of the Security Interest (Enforcement) rules, 2002 on 28th day of October of the year 2022.

Accordingly, OARPL as trustee is entitled to recover dues and enforce the securities which will be sold in exercise of rights and powers under the provisions of sections 13 (2) and (4) read along with section 13(12) of SARFAESI Act; on “As is where is”, “As is what is”, and “Whatever there is” and “ Without recourse Basis” on December 05, 2022 at 03.00 PM (last date and time for submission of bids is December 05, 2022 by 5.00 PM), for recovery of amount shown below in respective column due to Omkara Assets Reconstruction Pvt Ltd as Secured Creditor from respective Borrower and Co- Borrowers shown below.

The description of Borrower (s), Co-borrower (s) with outstanding dues and details of demand notice and possession are as under: -

Name of Borrower and Co-borrower	Outstanding Dues in Rs.	Date of Demand Notice	Date of Physical Possession
1) Raj Shabdani (borrower/mortgagor) and 2) Avni Shabdani (co-borrower)	Rs. 28,37,404/- (Rupees Twenty-Eight Lakh Thirty-Seven Thousand Four Hundred Four Only) as on 23-06-2021 plus contractual interest and other charges thereupon till date.	23-06-2021	28-10-2022

The Reserve Price and the earnest money deposit of property has been mentioned below in respective column.

Description of immovable property	Reserve Price	EMD
Flat No. 205, 2nd Floor Block-C (Barsana) in Shubh Labh Dwarka, situated at Land Bearing Survey No. 69/8, Village Pipliya Kumar Tehsil & District Indore, M.P.- 452001. Adm. 786 sq. ft.	25,25,000	2,52,500
Inspection Date and Time	Date: 29-11-2022, Time: 11:00 A.M – 4:00 P.M.	

For detailed terms and conditions of the sale please refer to the link provided in <http://omkaraarc.com/auction.php>

TERMS & CONDITIONS:

- The auction will be conducted ‘ONLINE’ through Omkara ARC’s approved service provider M/s.C-1 India Pvt Ltd., Gurgaon. E -Auction tender document containing online e-auction bid form, Declaration, General Terms & conditions of online auction sales are available in website <https://www.bankeauctions.com> (Support mail Id support@bankeauctions.com support mobile No. +91-7291981124/25/26).
- The secured assets will not be sold below Reserve Price. All statutory dues/ attendant charges/other dues including registration charges, stamp duty, taxes etc. shall have to be borne by the successful bidder.
- The last date for payment of EMD, and submission of Bid Form & Documents to Authorized Officer at C/515, Kanakia Zillion, Junction of LBS Road and CST Road BKC Annexe, Near Equinox, Kurla (West), Mumbai is 02-12-2022 up to 6.00 PM.
- To the best of knowledge and information of the Authorized Officer, there is no known encumbrance on any property. However, the intending bidders should make their own independent inquiries regarding the encumbrances, title of properties put on auction and claims/ rights/ dues ongoing litigation, effecting the

property, prior to submitting their bid. The Public Auction advertisement does not constitute and shall not be deemed to constitute any commitment or any representation of the OMKARA ARC. The property is being sold with all the existing and future encumbrances whether known or unknown to the OMKARA ARC.

5. All dues / arrears / unpaid taxes including but not limited including sales taxes, dues of Municipal Taxes, Electricity Dues, Industrial Cooperation etc. labor / workmen dues / compensation if any or any other dues, statutory or otherwise on the secured property shall be borne by the purchaser separately.

6. The successful bidder shall deposit 25% of bid amount (after adjusting EMD) immediately i.e., on the same day but not later than the next working day, as the case may be and balance 75% amount must be paid within 15 days from confirmation of sale. On failure to pay the sale price as stated all deposits including EMD shall be forfeited without further notice. However, extension of further reasonable time to make the balance 75% payment in exceptional situations shall be at sole discretion of authorized officer and subject to terms & conditions as may be agreed upon in writing between the purchaser and the secured creditor in accordance with applicable provisions of law.

7. The interested bidders shall submit their EMD details and documents through Web Portal: bankeauctions.com through Login ID & Password. EMD amount should be paid by way of NEFT / RTGS payable at Mumbai in favor "**Omkara PS26/2021-22 Trust**" which is refundable without interest to unsuccessful bidders. The bank account details are as under: The EMD shall be payable through NEFT / RTGS /Demand Draft payable at Mumbai in the following **Account: 055505010216, Name of the Beneficiary: Omkara PS26/2021-22 Trust, Bank Name: ICICI Bank, Branch: Bandra (E), Mumbai. IFSC Code: ICIC0000555** Please note that the Cheques shall not be accepted as EMD amount.

8. The EMD of the unsuccessful bidder will be returned within 07 working days from the closure of the e-auction sale proceedings.

9. The intended bidders who have deposited the EMD and require assistance in creating Login ID & Password, uploading data, submitting bid, training on e-bidding process etc., may contact e-Auction Service Provider "M/s. C1 India Pvt. Ltd", Tel. Helpline: +91-7291981124/25/26, Helpline E-mail ID: support@bankeauctions.com or Mr. Hareesh Gowda, Mobile : 95945 97555 E mail – hareesh.gowda@c1india.com/maharashtra@c1india.com

10. The bidders must hold valid e-mail address and may participate in e-auction for bidding from their place of choice. Internet connectivity shall have to be ensured by bidder himself. Omkara ARC/service provider shall not be held responsible for the internet connectivity, network problems, system crash own, power failure etc.

Bids below reserve price or without EMD amount shall not be accepted.

11. Property will be sold to bidder quoting the highest bid amount. Inter-se bidding will be at sole discretion of Authorized Officer. However, the Authorized Officer has the absolute power and right to accept or reject any tender/bid or adjourn/ postpone the sale without assigning any reason whatsoever thereof.

Interested parties are advised to independently verify the area of land, building and other details. Secured Creditor do not take any responsibility for any errors / omissions / discrepancy / shortfall etc. in the Secured Asset or for procuring any permission, etc. or for the dues of any authority established by law.

12. For any property related query or inspection of property schedule, the interested person may contact the concerned Authorized Officer -Kalpesh Ojha (Mobile – 9769825323), E-Mail: kalpesh.ojha@omkaraarc.com or at address as mentioned above in office hours during the working days.

13. The Bank/ARC reserves its right to sell the property through private treaty as per law, in the event of failure of e-auction.

14. The Authorized officer/secured creditor shall not be responsible for any error, inaccuracy or omission in the said proclamation of sale.

15. Any fees, charges, taxes including but not limited to transfer/conveyance charges, unpaid electricity charges, Municipal/local taxes, Stamp duty & registration charges shall have to be borne by the purchaser only.

KYC compliance: self-attested photocopies of Proof of identification viz. Voter ID Card/PAN Card/Driving License etc. along with admissible residence proof should be attached by all the bidders along with the letter of offer/bid and in case of company, firm etc. proper resolution and authority letter must be submitted.

All bidders who submitted the bids, shall be deemed to have read and understood the terms and conditions of the E-Auction Sale and be bound by them.

STATUTORY NOTICE FOR SALE UNDER Rule 8(6) & 9(1) and 6(2) OF STATUTORY INTEREST (ENFORCEMENT) RULES, 2002

This notice is also a mandatory Notice of Thirty days (30) days to the Borrower (s) /Co-Borrower (s) of the above loan account under Rule 8 (6) & 9(1) and 6(2) of Security Interest (Enforcement) Rule, 2002 and provisions of Securitisation & Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002, informing them about holding of sale through Public Auction on the above referred date and time with the advice to redeem the assets if so desired by them, by paying the outstanding dues as mentioned herein above along with cost & expenses. In case of default in payment, the property shall at the discretion of the Authorized Officer/Secured Creditor be sold through any of the modes as prescribed under Rule 8 (5) of Security Interest (Enforcement) Rule, 2002.

Sd/-

Authorized Officer, Omkara Assets Reconstruction Pvt Ltd.

(Acting in its capacity as a Trustee of **Omkara PS26/2021-22** Trust)

Date: November 03, 2022

Place: Mumbai